

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

August 18, 2004

DIVISION ONE

Court convened at 9:00 a.m.

Present: Ortega, Acting P.J., Vogel (Miriam A.), J., Mallano, J. and D. Nolan, Deputy Clerk.

B168465 Nila Jackson Neat
 v.
 County of Los Angeles

Merits:
Counsel waives the presence of Spencer, P.J. Argued by Jeffrey A. Rudman for appellant and by Clifton A. Baker for respondent. Cause submitted.

B172042 People
 v.
 Lester P. Blake

Merits:
Counsel waives the presence of Spencer, P.J. Argued by Richard A. Levy for appellant and by A. Scott Hayward, Deputy Attorney General, for respondent. Cause submitted.

B169988 Laverne R. Vaughn
 v.
 Toyota of North Hollywood et al.

Appearances:
Robert E. Stroud for appellant waives; Steve Berardino, fails to appear for respondent Toyota of North Hollywood. Cause submitted.

DIVISION ONE (Continued)

B162945 Camilla Nunez
 v.
 S. Melgar Investigations et al.

Merits:
Counsel waives the presence of Spencer, P.J. Argued by Norman Pine for appellant and by Christopher A. Kanjo for respondents. Cause submitted.

B169057 Mary Jean Featherson
 v.
 Gary A. Farwell

Merits:
Counsel waives the presence of Spencer, P.J. Argued by Joseph Andrews for appellant and by Natalie A. Kouyoumdjian for respondent. Cause submitted.

B167126 Boaz Tribelsky
 v.
 Ronen Brown, et al.

Merits:
Argued by Norman J. Kreisman for appellant. Peter C. Anderson, respondent in propria persona fails to appear. Cause submitted.

Mallano, J. leaves the bench.

B167218 Judith Hassoldt et al.
 v.
 City of Rolling Hills

Merits:
Counsel waives the presence of Spencer, P.J. Argued by Harold J. Light for appellants and by Edwin J. Richards for respondent. Cause submitted.

Mallano, J. returns to the bench.

August 18, 2004 (Continued)

DIVISION ONE (Continued)

Ortega, J. leaves the bench.

B166037 Anthony DiPace
v.
Mitchel Whitehead

Merits:

Counsel waives the presence of Spencer, P.J. Argued by Samuel Kornhauser for appellant and by David Kadue for respondent. Cause submitted.

Court adjourned.

B172485 People (Not for Publication)
v.
McNeil

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.
Mallano, J.

DIVISION TWO

B168303 People (Not for Publication)
v.
Rocha

The judgment is affirmed.

Doi Todd, J.

We concur: Boren, P.J.
 Nott, J.

August 18, 2004 (Continued)

DIVISION TWO (Continued)

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The judgment is affirmed.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Doi Todd, J.

B168688 People (Not for Publication)
v.
Gomez et al.

The judgments are affirmed, and the trial court is directed to correct the abstract of judgment as to each appellant to strike the reference to a \$1,000 parole revocation fine pursuant to section 1202.45.

Ashmann-Gerst, J.

We concur: Nott, Acting P.J.
Doi Todd, J.

B169873 Los Angeles County, D.C.S. (Not for Publication)
v.
B.L.

The juvenile court order is affirmed.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Nott, J.

DIVISION TWO (Continued)

B171813 Environmental Charter High School (Not for Publication)
 v.
 Centinela Valley Union High School

The judgment is reversed.

Ashmann-Gerst, J.

We concur: Nott, Acting P.J.
 Doi Todd, J.

B162681 Suh (Not for Publication)
 v.
 Dong Won Securities Co.

The judgment and orders of the trial court are affirmed. Suh is entitled to his costs on appeal.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Doi Todd, J.

B164417 Sherman et al. (Not for Publication)
 v.
 Harbin et al.

The portion of the judgment appealed from is reversed. Sherman and Tax Consulting are entitled to costs on appeal.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Nott, J.

DIVISION THREE

B166710 Lien Ping Chen (Not for Publication)
 v.
 Johnson Su

The appeals of Timothy Su and John Su are dismissed. The judgment is affirmed. Costs on appeal to plaintiff.

Croskey, J.

We concur: Klein, P.J.
 Kitching, J.

B172714 Los Angeles County, D.C.S. (Not for Publication)
 v.
 G.L.

The order from which Mother has appealed is reversed and the cause is remanded for further proceedings consistent with the views expressed herein.

Croskey, J.

We concur: Klein, P.J.
 Kitching, J.

B167953 Los Angeles County, D.C.S.
 v.
 Anna O. and Vicky G.

Filed order modifying opinion and certification for publication. (Change in judgment)

August 18, 2004 (Continued)

DIVISION SIX

[illegible]

The judgment (SVP commitment) is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
Coffee, J.

B169086 People (Not for Publication)
v.
Reyes

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Yegan, J.

B169501 People v. Hatcher (Not for Publication)

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
Coffee, J.

August 18, 2004 (Continued)

DIVISION SEVEN

B168556 People (Not for Publication)

V.

Safety National Casualty Corporation

The judgment is affirmed.

Zelon, J.

We concur: Perluss, P.J.

Johnson, J.

B166883 People (Certified for Partial Publication)

V.

Saucedo

The judgment is affirmed.

Zelon, J.

We concur: Johnson, Acting P.J.

Woods, J.

B166654 Shafighi et al. (Not for Publication)

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The judgment is affirmed. Each party to bear their own costs.

Perluss, P.J.

We concur: Johnson, J.

Zelon, J.

August 18, 2004 (Continued)

DIVISION SEVEN (Continued)

B169194 Cooper (Not for Publication)

V.

Young Mobil Gas et al.

The judgment is affirmed. Respondent(s) to recover costs.

Perluss, P.J.

We concur: Woods, J.
Zelon, J.

B171720 People (Not for Publication)

V.

Argo

The judgment is affirmed.

Perluss, P.J.

We concur: Johnson, J.
 Zelon, J.

DIVISION EIGHT

B165962 Brown (Not for Publication)

V.

CSK Auto, Inc.

The judgment is affirmed.

Cooper, P.J.

We concur: Rubin, J.
Flier, J.

August 18, 2004 (Continued)

DIVISION EIGHT (Continued)

B168571 People (Not for Publication)

V.

Jacobs,

The judgment is affirmed.

Cooper, P.J.

We concur: Rubin, J.

Flier, J.

B160212 People (Not for Publication)

V.

Rodriguez et al.

The judgment of conviction of Ortega is affirmed. The judgment of conviction of Rodriguez is affirmed.

Cooper, P.J.

We concur: Rubin, J.

Flier, J.

B171332 Los Angeles County, D.C.S. (Not for Publication)

V.

Royal C. and Annette C.

The order terminating parental rights is affirmed.

Cooper, P.J.

We concur: Rubin, J.

Flier, J.

DIVISION EIGHT (Continued)

B166055 Berchenko (Not for Publication)
 v.
 Pattiz

The judgment is affirmed. The motion for sanctions is denied. Plaintiff shall recover her costs on appeal, and defendant shall pay to plaintiff her attorney fees on appeal, in the amount of \$7,175.00.

Cooper, P.J.

We concur: Rubin, J.
 Flier, J.

B170099 Skobin (Not for Publication)
 v.
 County Of Los Angeles et al.

The judgment is affirmed in part and reversed in part. The dismissal of Cunningham and Northridge is reversed. The dismissal of Beverly, Hobson, Hazel, Rodney, Swanson, and the County of Los Angeles is affirmed. Each party to bear his, her, or its own costs.

Cooper, P.J.

We concur: Rubin, J.
 Flier, J.

August 18, 2004 (Continued)

DIVISION EIGHT (Continued)

MISCELLANEOUS ORDER No. 2004-1957

August 18, 2004

By the Court:

In pending appeals in which an appellant's opening brief was filed prior to the date this order is issued, and in which an opinion has not yet been filed, an application for leave to file a supplemental opening brief shall not be required before filing of a supplemental brief in which proponent's claim for relief is premised on the decision of the *United State Supreme Court in Blakely v. Washington (No. 02-1632. June 24, 2004) 542 U.S. ____; 124 S.Ct. 2531; 159 L. Ed.2d 403; 2004 WL 1402697; 2004 DJDAR 7581*. Henceforth, appellants shall not submit for filing any application for leave to file a supplemental brief premised on *Blakely*.

If a supplemental opening brief is filed pursuant to this order, the time for filing respondent's brief shall be extended by 15 days. If respondent's brief has already been filed, respondent shall have leave to file a supplemental respondent's brief within 15 days of the date of filing of the appellant's supplemental opening brief.